

# DEPARTMENT OF PUBLIC HEALTH



COUNTY OF SAN BERNARDINO

## Division of Environmental Health Services

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## Implementation of SB 1420

In September 2008, SB 1420 was signed into law adding section 114094 to the State Health and Safety Code. The following is an overview of the new menu labeling law.

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## 1. To which restaurants does the law apply?

The bill applies to restaurant chains with 20 or more outlets in the state. The law defines this as “a food facility in the state that operates under common ownership or control with at least 19 other food facilities with the same name that offer for sale substantially the same menu items.” This bill *does not* apply to school cafeterias, grocery stores, convenience stores, commissaries, licensed health care facilities and vending machines.

## 2. What will be required under the new law?

Phase #1 by July 1, 2009 calorie, saturated fat, carbohydrate and sodium content for each standard menu item must be made available in one of the following ways:

- Restaurants that use a menu board must provide brochures available prior to or during the placement of an order.
- Restaurants that provide sit-down service must provide the information through any of the following:
  - In a brochure available on the table
  - On a menu next to each standard menu item
  - In the menu, under an index section that is separate from the listing of standard menu items
  - On a menu insert
  - On a table tent on the table
- Restaurants that have a drive-thru window must notify customers at the point-of-sale that nutritional information is available upon request in a brochure format. A sign must be posted at the point of sale in a conspicuous place stating that this information is available.

***It is also possible to be in compliance by meeting any of the standards set forth to be implemented on January 1, 2011 (please see below).***

Phase #2 by January 1, 2011

- Restaurants that use a menu board must post calorie information for each standard menu item next to the item on the menu board.
- Restaurants that provide sit-down service must post calorie information for each standard menu item next to the item on the menu.
- Restaurants that use food tags must post calorie information on the food tag.
- Restaurants with drive-thru window sales must continue to provide nutritional information in a brochure format. A sign must be posted at the point of sale in a conspicuous place stating that this information is available.

**3. How will items intended for more than one person (like a large pizza) be labeled?**

By January 1, 2011 multiple serving items on menus, menu boards, or food tags must indicate how many servings the item contains and the calorie content per serving.

**4. How will combo meals be labeled?**

By January 1, 2011, items that contain more than one component (like a burger, side dish, and drink) and are listed on a menu, menu board, or food tag must indicate the minimum and maximum number of calories for the combo meal based upon all possible combinations of meal components.

**5. How will this law be enforced?**

Field inspectors will be verifying compliance during routine inspections. If found to be out of compliance a violation will be noted and follow up inspections will be conducted as needed. A \$99 per hour rate may be charged for follow up for any facilities found to be out of compliance.

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